

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:20-cv-00516-FDW-DSC

PENN NATIONAL SECURITY )  
INSURANCE COMPANY, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
HOOPAUGH GRADING, LLC, )  
HOOPAUGH GRADING COMPANY, LLC, )  
AND PULTE HOME COMPANY, LLC, )  
 )  
Defendants.

ORDER

THIS MATTER is before the Court *sua sponte* as to several deadlines, including the trial setting, in this case. In response to several motions for extensions of time, (Doc. No. 34, 45, 49), the magistrate judge assigned to this case extended several discovery deadlines, as well as the deadline for filing dispositive motions.<sup>1</sup> Those extended deadlines exceed the current trial setting for this case of May 2, 2022, and the prior orders allowing such extensions did not continue the trial setting in this matter. (See Doc. No. 33). Accordingly, to accommodate the deadline extensions, the Court hereby *sua sponte* continues trial in this matter to its September 12, 2022, mixed trial term. In addition, the parties' jointly-prepared pretrial submissions shall be due August 26, 2022. Counsel and the parties are hereby advised that the Court does not anticipate allowing

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<sup>1</sup> The Court has already received, reviewed, and ruled on the parties' cross motions for summary judgment, (Doc. No. 33). Although a supplemental complaint was filed subsequent to the Court's ruling on dispositive motions, any additional dispositive motions should not reassert or seek to relitigate issues already presented to and decided by this Court.

any additional extensions of time unless the parties show and the magistrate judge or this Court finds extraordinary circumstances.

IT IS THEREFORE ORDERED that trial in this matter is continued from the Court's May 2, 2022, trial term to its September 12, 2022, trial term. A pretrial conference shall immediately follow docket call on September 12, 2022. Pretrial submissions required under this Court's standing orders shall be submitted by August 26, 2022.

IT IS SO ORDERED.

Signed: April 25, 2022

A handwritten signature in black ink, appearing to read "Frank D. Whitney", written over a horizontal line.

Frank D. Whitney  
United States District Judge

